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Date of Deposit March 27, 2002

PATENT

Attorney Docket No.: 20174C-002410US

Client Reference No.: CIT-3366

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Assistant Commissioner for Patents

Attn: Box Missing Parts

Washington, D.C. 20231

By: Bonnie Reckles

#7



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Shulamit Eyal et al.

Application No.: 09/970,453

Filed: October 2, 2001

For: VELOCITY INDEPENDENT  
ANALYTE CHARACTERIZATION

Examiner: Unassigned

Art Unit: 1743

**TRANSMITTAL LETTER –  
RESPONSE TO NOTICE OF  
INCOMPLETE REPLY  
(NONPROVISIONAL)**

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

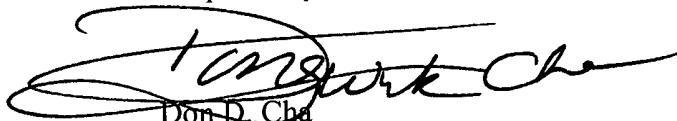
Sir:

Pursuant to the Notice of Incomplete Reply (Nonprovisional), dated March 5, 2002, enclosed are the following to be made of record in the above-identified application:

- 1) 8 sheets of formal drawings
- 2) Petition for three-month Extension of Time
- 3) Copy of Notice of Incomplete Reply (Nonprovisional)

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

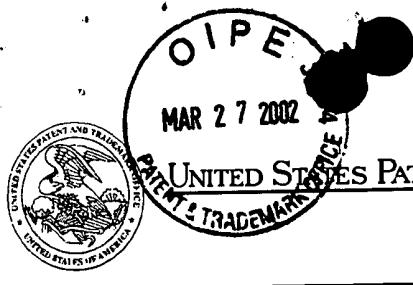


Don D. Cha  
Reg. No. 40,945

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 303 571-4321  
DDC:bhr

DE 7066436 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/970,453	10/02/2001	Shulamit Eyal	020174-002410US

CONFIRMATION NO. 9637

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

## FORMALITIES LETTER



\*OC000000007578184\*

Date Mailed: 03/05/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 02/11/2002 to the Notice to File Missing Parts (Notice) mailed 11/09/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$)	460
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Complete If Known

Application Number	09/970,453
Filing Date	October 2, 2001
First Named Inventor	Eyal, Shulamit
Examiner Name	
Group Art Unit	1743
Attorney Docket No.	20174C-002410US

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																		
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <input type="text" value="20-1430"/></p> <p>Deposit Account Name <input type="text" value="Townsend and Townsend and Crew LLP"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>Extension for reply within third month</td><td>460</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify)</td><td></td></tr> <tr> <td colspan="4">The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) <input type="text" value="(\$460)"/></td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	Surcharge - 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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																						

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Don D. Cha	Registration No. (Attorney/Agent)	40,945	Telephone	303-571-4000
Signature				Date	March 27, 2002

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03-29-02

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# **TRANSMITTAL FORM**

*(to be used for all correspondence after initial filing)*

 <p><b>TRANSMITTAL FORM</b></p> <p><i>(to be used for all correspondence after initial filing)</i></p>	Application Number	09/970,453	
	Filing Date	October 2, 2001	
	First Named Inventor	Eyal, Shulamit	
	Group Art Unit	1743	
	Examiner Name		
Total Number of Pages in This Submission	1	Attorney Docket Number	20174C-002410US

**ENCLOSURES (check all that apply)**

- |                                                                                    |                                                                                            |                                                                                               |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form                           | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                               |
| <input type="checkbox"/> Fee Attached                                              | <input checked="" type="checkbox"/> Drawing(s)                                             | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences           |
| <input type="checkbox"/> Amendment / Response                                      | <input type="checkbox"/> Licensing-related Papers                                          | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                               | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69)<br>and Accompanying Petition    | <input type="checkbox"/> Proprietary Information                                              |
| <input type="checkbox"/> Affidavits/declaration(s)                                 | <input type="checkbox"/> Petition to Convert to a<br>Provisional Application               | <input type="checkbox"/> Status Letter                                                        |
| <input checked="" type="checkbox"/> Extension of Time Request                      | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s)<br><i>(please identify below):</i>     |
| <input type="checkbox"/> Express Abandonment Request                               | <input type="checkbox"/> Terminal Disclaimer                                               | 1. Copy of Notice of Incomplete Reply<br>(Nonprovisional)                                     |
| <input type="checkbox"/> Information Disclosure Statement                          | <input type="checkbox"/> Request for Refund                                                | 2. Return Postcard                                                                            |
| <input type="checkbox"/> Certified Copy of Priority<br>Document(s)                 | <input type="checkbox"/> CD, Number of CD(s)                                               |                                                                                               |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application      |                                                                                            |                                                                                               |
| <input type="checkbox"/> Response to Missing<br>Parts under 37 CFR<br>1.52 or 1.53 |                                                                                            |                                                                                               |
| Remarks                                                                            | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.   |                                                                                               |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm and Individual name	Townsend and Townsend and Crew LLP Don D. Cha	Reg. No. 40,945
Signature		
Date	March 27, 2002	

**CERTIFICATE OF MAILING**

**Express Mail Label: EL 889368612 US**

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Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231

Typed or printed name	Bonnie Rickles		
Signature	Bonnie Rickles	Date	March 27, 2002

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patents, Washington  
DE 7066452 v1